

**ZONING BOARD OF ADJUSTMENT
MINUTES
MAY 6, 2003
(Approved as amended 6/3/03)**

PRESENT: Forrest Esenwine, Chairman; Jack Dearborn; Leon Methot; June Purington

Harry Wetherbee, Alternate; Naomi Bolton, Land Use Coordinator.

GUESTS: Jan Moore; Joseph Dussault; Ginger Esenwine

I. CALL TO ORDER:

Chairman Forrest Esenwine called this meeting to order at 7:30 PM at the Weare Town Office Building. Chairman Esenwine asked all the members present to introduce themselves and explained the procedure in which the board conducts business.

Chairman Esenwine then appointed Harry Wetherbee as a voting member to sit in place of Terry Knowles for tonight's meeting.

II. PUBLIC HEARINGS:

Case #0703 Joseph A. Dussault

Variance, Article 3, Section 3.5.1

Applicant is proposing to build a carport on a non-conforming lot in the village zone.

Tax Map 412-130

407 Riverdale Road

Naomi handed the board members some photos that Mr. Dussault had submitted with his application, but weren't copied because they wouldn't come out on a regular copier. Mr. Dussault was present and explained that he would like to add an extension on to the carport, because the new car he bought doesn't fit in the carport. Leon Methot asked Naomi if she knew how wide the right of way is on River Road. The reason being is that the drawings that were submitted are all measured from the edge of the pavement and not from the edge of the right of way. The setbacks actually start from the edge of the right of way. Chairman Esenwine stated that he is not at all happy with the accompanying documentation

of the application. The new instructions explain to the applicant exactly what is needed for an application. Jack Dearborn stated that we don't have a good idea where the Town right of way is and where the owner starts. That can only be located by a surveyor on a piece of paper with their signature and seal on it. The surveyor would locate the closest point of the current carport, subtract six feet and that would be how Mr. Dussault would be requesting the variance, no closer than. The board discussed whether this relaxation was for frontage or a side line setback. Mr. Dussault's address is on Riverdale Road. Harry Wetherbee explained that from personal experience of owning property on a corner of two roads, the Town determines the setbacks as frontage on both streets. Mr. Dussault explained that the Town doesn't know where the property line is and asked why the Town doesn't hire a surveyor to determine that. Mr. Methot explained that in order for this board to make any true judgement and give the applicant the proper setback is to have it surveyed and that is something that the applicant has to have done. Mr. Wetherbee asked Mr. Dussault if he had a deed for this property. Mr. Dussault stated that he does but it only give distances on the sides. Mr. Dussault stated that when the Riverdale Bridge was replaced the engineers working with on the project couldn't tell him where the boundary markers were, because they were working off a 1947 map. Mr. Dussault stated that a corner of the bridge affected a corner of his property on the Riverdale Road side. The board agreed that Mr. Dussault only has to have the River Road side surveyed to determine the setback relaxation. Jack Dearborn moved to continue case #0703 to June 3, 2003 to allow Mr. Dussault time to get a survey done, June Purington seconded the motion, all in favor.

Case #0803 Robert & Jan Moore
Variance, Article 18, Section 18.2.3
Applicant is proposing to build another bay onto the existing garage in the residential zone.
Tax Map 409-075 967 River Road

Leon Methot stated that he thought we will probably be running into the same situation with this one. Jack Dearborn asked how close the existing structure is from River Road. Is it further back then 50 feet? Mrs. Moore responded no. Mr. Dearborn explained that is a problem as well because you can't add onto a structure that is not compliant to zoning. The house was built in 1986 before there was any zoning. The board felt that as in the previous case, a surveyor would need to locate the front property line and side property line and the structures that are on the property. Mrs. Moore handed the board a letter from all the abutters indicating that they don't have a problem with what they are doing. Mrs. Moore stated that she will give Mr. Sicililano a call in the morning to get him out to determine the location of the house in reference to the property lines. Leon Methot moved to continue case #0803 to June 3, 2003, Jack Dearborn seconded the motion, all in favor.

III. CASE DECISIONS:

Case #0703 Joseph A. Dussault
Variance, Article 3, Section 3.5.1
Applicant is proposing to build a carport on a non-conforming lot
in the village zone.
Tax Map 412-130 407 Riverdale Road

No decision was made because the case was continued to June 3,
2003.

Case #0803 Robert & Jan Moore
Variance, Article 18, Section 18.2.3
Applicant is proposing to build another bay onto the existing
garage in the residential zone.
Tax Map 409-075 967 River Road

No decision was made because the case was continued to June 3,
2003.

IV. OTHER BUSINESS:

APRIL 2, 2003 MINUTES: Chairman Esenwine moved to approve the April 1,
2003 minutes as amended, Leon Methot seconded the motion, all in favor.

REAPPOINTMENT OF MEMBERS: Naomi explained to the board that Jack
Dearborn, June Purington and Stuart Richmond's terms expire in 2003. Stuart
Richmond stated that he did not wish to be re-appointed. Jack Dearborn and June
Purington both stated that they would like to be re-appointed. Chairman
Esenwine moved to recommend to the Board of Selectmen that Jack Dearborn
and June Purington be re-appointed for another three year term, Harry Wetherbee
seconded the motion. Vote: Majority in favor, except for Jack Dearborn who
abstained.

V. ADJOURNMENT:

As there was no further business to come before the board, Jack Dearborn moved
to adjourn at 8:15 PM, Leon Methot seconded the motion, all in favor.

Respectfully submitted,

Naomi L. Bolton
Land Use Coordinator